

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ERIC W. POIRIER,

Plaintiff,

v.

Case No. 23-cv-1401-scd

MICHAEL GIERACH, et al.,

Defendants.

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**DECISION AND ORDER**

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Plaintiff Eric Poirier is representing himself in this 42 U.S.C. §1983 case. On November 21, 2024, the Court granted Defendants’ motion for summary judgment and dismissed this case. Dkt. No. 37. On December 6, 2024, Poirier filed a motion for reconsideration under Fed. R. Civ. P. 59(e). Dkt. No. 39. The Court will deny the motion.

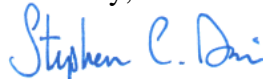
Under Rule 59(e), a party may move to alter or amend a judgment within 28 days of the entry of judgment. A Rule 59(e) motion may be granted only if a party can “clearly establish” either newly discovered evidence or a manifest error of law or fact warranting relief. *Harrington v. City of Chicago*, 433 F.3d 542, 546 (7th Cir. 2006) (citations omitted). A manifest error of law “is not demonstrated by the disappointment of the losing party. It is the ‘wholesale disregard, misapplication, or failure to recognize controlling precedent.’” *Oto v. Metropolitan Life Ins. Co.*, 224 F.2d 601, 606 (7th Cir. 2000) (quoting *Sedrak v. Callahan*, 987 F. Supp. 1063, 1069 (N.D. Ill. 1997)).

Poirier does not present newly discovered evidence or identify a manifest error of law. Instead, he explains why he disagrees with how the Court applied the law to the facts of his case.

Because it is well settled that a party's disagreement with the Court's analysis is not a sufficient basis for granting a Rule 59(e) motion, the Court will deny the motion.

**IT IS THEREFORE ORDERED** that Poirier's motion for reconsideration (Dkt. No. 39) is **DENIED**.

Dated at Milwaukee, Wisconsin this 2nd day of January, 2025.

  
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STEPHEN C. DRIES  
United States District Judge